

# **MINUTES**

## **Bar Harbor Cruise Ship Task Force**

**January 10, 2008**

**8:30 AM**

**Council Chambers**

**Municipal Building**

**93 Cottage Street**

***Present: Paul Paradis, Anne Krieg, Nathan Young, Charles Phippen, George Seavey, Greg Veilleux, Amy Powers, Greg Gordon, Fred Cook, Mary Opdyke***

***Absent: Bob Bahr and Chris Fogg***

***I. Call to Order by the Chair at 8:34 AM.***

***II. Excused Absences***

***A. Bob Bahr and Chris Fogg were excused due to medical reasons and a scheduled honeymoon trip, respectively.***

***III. Minutes***

***Minutes were unanimously accepted by a motion from Young with a second from Opdyke.***

***IV. Staff Reports***

None

***V. Regular Business***

***A. Passenger Caps***

***i. Discussion and possible action on setting dates for the Fall Season.***

This was postponed until Powers arrived to the meeting.

After discussion of V(A)ii and iii, respectively, the group returned to this discussion.

Opdyke expressed agreement with Phippen on his previous recommendation to close reservations on October 31.

***Opdyke moved to recommend that the fall season dates be September 1 to October 31<sup>st</sup>. The motion was seconded by Phippen.***

The motion was discussed at length.

Powers indicated that she understood the obligations the Town has to the local fishing industry. Powers did note that this date will turn business away and could upset the local merchants who attempt to stay open later into fall.

Phippen reminded the group that the purpose for this Task Force and the creation of the Cruise Ship Management Plan was because of all of the impacts from this industry on the Town.

He is often asked by residents and fishermen of when the cruise ship season would end. He noted that many businesses choose to close by late October. He also noted that November is an unsafe month to travel by ship, and, that by mid-November he is closing the Pier operations and preparing for winter usage.

Powers indicated that her partners in Canada are trying to extend the season. Caribbean is saturated in these months, so it helps the shoulder season and bridge the gap to winter.

Phippen felt that industry should support the mid-Atlantic and the DC area for this gap season. He did note he would be willing to have discretion in the first week in November on a case by case basis if there are no alternatives. The group discussed if the final week be the discretion of the Harbormaster. He agreed to this discretion.

Phippen also noted the passenger experience is severely diminished. If the pilot cannot board the ship in open ocean, they are not allowed to enter the harbor at all, regardless of the date. Krieg noted that the date, however noted is the date to take reservations and if conditions are not safe, they won't be able to arrive, regardless of the date requirements. Young replied then that we do not need a date because the weather is the controlling point.

Phippen reminded the group that he is required by laws to perform certain closings of operations on the pier, e.g. removal of floats. For example, in April, the parking lot is still filled with floats.

Seavey reminded that the fishermen need that 7 square miles returned to them in the fall. This time period should be capped at 6 months. Phippen added that the season affects other industries as in shipping.

The Chair returned the discussion to the motion on the floor. He noted that we might want to keep it open to the end date. Young noted we should not allow discretion on the date due to the provision of services. Phippen agreed that the discretion would be difficult to enforce with the industry.

***Veilleux moved the question. All in favor to move the question.***

***The motion passed by a vote of 6 to 4 - Paradis, Cook, Young and Gordon opposed.***

**ii. Discussion and possible action on when we recommend implementation.**

Chair asked when the recommendations would be implemented.

***Young moved to recommend any implementation to fiscal year 2010, seconded by Cook.***

In discussion it was noted the difficulty of implementing mid-season as the fiscal year begins in July.

***Motion was withdrawn.***

***Young moved to recommend any implementations on passenger caps on January 1, 2010, seconded by Cook.***

Discussion noted that this date is due to reservations coming and giving the industry proper notice of changes.

Fees were noted to not be part of this date because Phippen noted that he could alert the industry as reservations come in.

***All in favor of the motion.***

**iii. Discussion and possible action on how often, and by whom, passenger caps should be reviewed.**

Phippen noted that a de-briefing at the end of the season should be coordinated.

Individuals or positions that should be part of the de-briefing were discussed. Options discussed included a standing committee.

Phippen noted it may not be necessary as there already is a spring meeting with public safety and federal officials to discuss the upcoming season. Phippen noted he could coordinate a de-briefing with a bulleted list of any recommendations to Town Council. Phippen noted that the current group could be an ad hoc group.

Young felt a standing committee gives consistency to the annual review. Gordon agreed so that all the current members as stakeholders can participate in the review process.

Cook noted that if Phippen did a formal report to the Town Council, which should suffice.

***Gordon moved, with a second from Phippen, to recommend creation of an ad hoc committee to review passenger caps and other recommendations settled by this Task Force to make recommendations for any changes to the Town Council. Review would commence next season, thus this task force is recommended to be the group for this review, while the task force is in existence. This review would take place annually in the post season.***

Motion was discussed to clarify intent.

Veilleux indicated if we need other groups involved in this review, e.g. US Customs, MEMA, US Coast Guard. was noted the meeting would be opened up to interested parties.

Young and Cook questioned if this exercise of the motion should occur at the end of the process as part of a final recommendation. Young noted that this ad hoc committee could keep consistency to the review of operations so that changes are not recommended in a vacuum. Phippen agreed that operations need continual monitoring.

***All were in favor of the motion.***

**[The Task Force returned to A.i.]**

**iv. Discussion and possible action on when the passenger cap recommendation should be forwarded to Council.**

*[The group returned to this agenda item after V.A.i.]*

Phippen said the recommendations should go to the Town Council as soon as possible. Veilleux agreed, given the Council will want to have time for discussion.

Gordon said we should wait to report on our required schedule. He felt this was more efficient use of Task Force and Council time.

The Chair thought that since this a major issue, that we should bring it forward now. Cook agreed that this is time sensitive.

***Phippen moved to send a letter to the Town Council on our recommendations to date. Veilleux seconded.***

***All were in favor of the motion.***

- B. Discussion and possible action on forwarding a request to the Town Manager for staff to research the cost and feasibility of the Town becoming Coast Guard T105 compliant to receive cruise ship passengers on Town docks.**

*Nate moved the agenda item for action. Opdyke seconded. All in favor.*

**C. Cruise Ship Fees**

- i. Discussion and outline of all current cruise ship fees.**

Phippen reviewed the fee schedule he had circulated to the members.

The Chair presented that on a one cruise ship visit day, the average fee would be in the range of \$2100- 2300 if it's one tour company, and \$2250-2450 if 2 tour companies are involved. It is assumed it is doubled on a 2 cruise ship visit day.

Young noted that the rate is a benefit included rate which is 40% overtime rate. The rate gets adjusted yearly as the salaries increase.

Phippen added that if a tour is organized for the cruise ships, then they must pay the fee, regardless if they use designated spaces on the Pier or Agamont Park.

Phippen also described how the billing occurs. Often it's a 50% up front then billed the parent company later for the remainder. Police needs to submit their numbers to Harbormaster to submit to Finance. Often the officer fee is paid up front or may be billed separately. There are a lot of departments involved in this administration.

- ii. Discussion and possible action on the dollar amount of cruise ship fees.**

Bundling the fees was noted as crucial for a decision to be made before this agenda item.

*Phippen moved to table this item until V.C.iii is decided upon. Krieg seconded. All in favor.*

- iii. Discussion and possible action on how to best bundle cruise ship fees.**

Veilleux questioned how we include limousines and cabs into this bundle. Young noted that we need to focus those companies authorized by the cruise ship companies; however he noted that those services not managed by the cruise ship industry needs to be discussed as to how they should be managed. They have a separate license to operate. The Council defines taxi stands and sets a fee associated to the same. Young reminded the group that the study did note that this issue needs to be part of the group's work. Seavey opined this should be part of this discussion.

Phippen reminded the group that the bundling is to be able to receive one efficient payment from the cruise ship industry.

Gordon said there is a marine department that pays the fees for a harbor. If it's not bundled then the tour needs to add this to the cost of the tour because they have to pay the bus fee.

Young said that the tour buses are using public property for private commerce. Phippen added that the cruise ship pays to dock and discharge passengers. The tours from the ships use the town property to assemble the tours' passengers.

The Chair offered that the bundled fee is the port, bus and detail fee. The intent is to simplify the billing and make it more efficient and to recoup some of the town's costs for the delivery of town services and space.

The study noted that the ship should be billed and then the ship can manage the situation with the bus company.

Flat fee or per head fee was offered as options by Gordon.

Powers questioned what enhancement projects the group recommended funding. She recommended that the group look at long term infrastructure enhancements to improve the passenger experience. This Port Development fee could be bundled with fees for services provided.

It was noted that our current fees are average compared to other areas. Phippen was interested in what the industry considers justifiable and reasonable to expect for a port development fee.

The Chair offered that the fee would be the cost for Bar Harbor to provide services and bundled with a potential port development fee..

Powers requested time to conduct some case studies. She added that we need methodologies and we need to determine what we want to do with a fee (e.g.'s enhancement and projects).

This will be presented and discussed at the next meeting.

Powers gave the Portland Maine cruise ship fee schedule to staff for distribution.

#### **VI. Public Comment**

Liz Weston from Acadia National Park (ANP) presented a document called Commercial Use Authorization which includes their forms and rules & regulations for tours in ANP. She also gave the Commercial Services Plan from 2000. These will be distributed next packet.

#### **VII. Items for next agenda**

Fees will continue to be discussed. The report to Town Council will also be discussed.

#### **VIII. Set next meeting time, date and place**

January 24<sup>th</sup> , 2008 at 8:30 AM in the Council Chambers.

#### **IX. Adjournment**

10:40 AM

*These minutes were prepared by Anne Krieg, Planning Director and Secretary/Staff to the Task Force for distribution on January 17, 2008.*